

Document No. 4273
Voted at Meeting of 1/28/83

BOARD OF APPEAL REFERRALS

January 28, 1983

1. Z-5957 Tufts University
145 Harrison Avenue, Boston
2. Z-5959 Ramon Yi
52 Beach Street, Boston
3. Z-5962 Chinatown Development Trust
14-20 Tyler Street, Boston
4. Z-5968 Connie Pizzimenti
298-300 North Street, Boston
5. Z-5979 Forsyth Dental Clinic
140 The Fenway, Boston
6. Z-5981 Herbert M. Jacobs
14 Cazenove Street, Boston
7. Z-5982 Workshop for Television and Modeling, Inc.
392 Boylston Street, Boston
8. Z-5995 Pierre deBourgknecht
8A-8 Newbury Street, Boston
9. Z-5996 Shell Oil Co. (lessee)
603 Hyde Park Avenue, Roslindale
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16. Z-6012 Roman Catholic Archbishop of Boston
39 Stanton Street, Dorchester
17. Z-6013 97 Charles Street Trust / Ruxton Dellescese, Trustee
123 Pinckney Street, Boston
18. Z-6022 Antonio Pardo
37 Paul Gore Street, Jamaica Plain
19. Z-6025 Aida M. Larrubia
61 Newburg Street, Roslindale
20. Z-6027 Rutland Associates, Inc. / Robert Bradley
40 Rutland Square, Boston
21. Z-6029 Trustees of Oliver Wendell Realty Trust
265 Franklin Street, Boston
22. Z-6032 Saul Klayman
581 Cummins Highway, Mattapan
23. Z-6036 National Center of Afro-American Artists, Inc.
122 Elm Hill Avenue, Roxbury
24. Z-6037 Allen M. Goldstein
1583(r) Blue Hill Avenue, Mattapan
25. Z-6039 Jeremiah J. Connors
4 Sylvester Road, Dorchester
26. Z-6040 170 Newbury Street Realty Trust
170 Newbury Street, Boston
27. Z-6041 Suzanne Zinni, Trustee
144 Beacon Street, Boston
28. Z-6042-6043 One Post Office Square Associates
Edwin N. Sidman, General Partner
1 Post Office Square and 30 Pearl Street, Boston

MEMORANDUM

January 28, 1983

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 2/15/83

Z-5957
 Tufts University
 145 Harrison Avenue, Boston
 at Harvard Street

Parcel P-5, South Cove Urban Renewal Area

District(s):	apartment_____	general business B-8_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: erect eight-story Health Sciences Education Building.

Violation(s):

University is conditional use.

Setback of parapet and off-street loading are insufficient.

Floor area ratio is excessive.

In accordance with Informational Memorandum this date on South Cove Urban Renewal Area Disposition Parcel P-5 - Tufts University, staff recommends denial without prejudice.

VOTED: In reference to petition Z-5957, Tufts University, 145 Harrison Avenue, Boston, for a conditional use and three variances to erect an eight-story Health Sciences Education Building in a general business (B-8) district, the Boston Redevelopment Authority recommends denial without prejudice. The proposed development is located in part on South Cove Urban Renewal Disposition Parcel P-5. The existing cooperation agreement between the Authority and Tufts requires Authority approval of the design. The proposed design raises substantial concerns: the Floor Area Ratio of 10.9 is in excess of the allowed F.A.R. of 8; the building height of 127 feet exceeds the Urban Renewal Plan criterion of 85 feet; the proposed pedestrian bridge crossing Harrison Avenue lessens neighborhood safety; the cantilevered portion overhanging Harvard Street causes negative impacts on the Harvard Street pedestrian circulation spine. In addition, there has not been sufficient opportunity for community review of the building, or the proposed revisions to the Tufts Masterplan, of which this development is an element. It is therefore recommended that the developer not return to the Board of Appeal until community reviews have taken place and required Authority approvals have been obtained.



PARCEL P-5

Z-5957
145 HARRISON AVE.
(B.R.)

Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-5959
 Ramon Yi
 52 Beach Street, Boston
 near Oxford Street

3½-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing M-8_____

Purpose: change occupancy from one apartment and restaurant to four apartments and restaurant.

Violation(s):

Dwelling converted for more families is conditional use.

Building is partially vacant. Conversion is consistent with neighborhood mixed residential-commercial uses. Renovation will improve condition of property. Chinese Consolidated Benevolent Association supports proposal.
Recommend approval with proviso.

VOTED: In reference to petition Z-5959, Ramon Yi, 52 Beach Street, Boston, for a conditional use for change of occupancy from one apartment and restaurant to four apartments and restaurant in a manufacturing (M-8) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Building is partially vacant. Conversion is consistent with neighborhood mixed residential-commercial uses. Renovation will improve condition of property. Chinese Consolidated Benevolent Association supports proposal.



BOSTON

COMMON

CENTRAL
BURIAL
GROUND

BOYLSTON

CARVER

PLACE

BOYLSTON PL.

VAN RENSSLAER PL.

ST.

ELIOT.

PARKING
AREA

STUART

WARRENTON

SEAWARD PL.

TREMONT

HOLLIS

DILLAWAY

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Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-5962
Chinatown Development Trust
14-20 Tyler Street, Boston
near Kneeland Street

Four contiguous, 3½-story buildings

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing <u>M-8</u>

Purpose: change occupancy from four apartments, restaurant, and bar to 16 apartments, restaurant, and stores.

Violation(s):

Multifamily dwelling is conditional use.

Street is mixed residential-commercial. Rehabilitated housing units, financed by Chinese community investors, will help to satisfy demand for market rate housing in Chinatown. Recommend approval with proviso.

VOTED: In reference to petition Z-5962, Chinatown Development Trust, 14-20 Tyler Street, Boston, for a conditional use for change of occupancy from four apartments, restaurant, and bar to sixteen apartments, restaurant, and stores in a manufacturing (M-8) district, the Boston Redevelopment Authority recommends approval provided plans, including parking plan for commercial uses, be submitted to the Authority for design review.



Z-5962

14-20 TYLER ST.
(B.P.)

Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-5968
Connie Pizzimenti
298-300 North Street, Boston
at Fleet Street

Three-story structure

District(s):	apartment	H-3	general business	_____	industrial	_____
	residential	_____	local business	_____	waterfront	_____
	single family	_____			manufacturing	_____

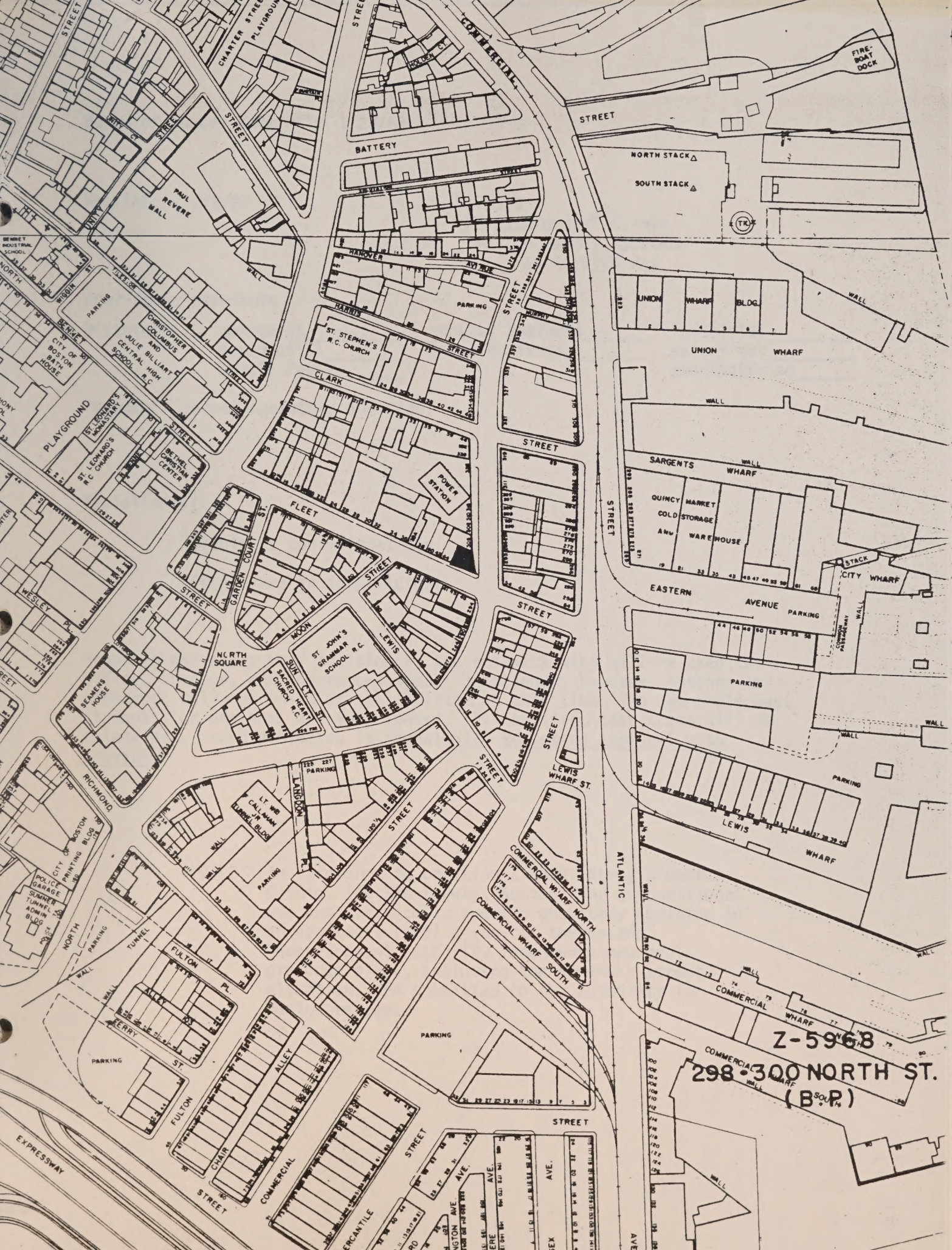
Purpose: change occupancy from tenements and store to two-family dwelling and store with video games.

Violation(s):

Video games are forbidden in an H-3 district.

Video game use is inappropriate in this heavily populated residential neighborhood. Recommend denial.

VOTED: In reference to petition Z-5968, Connie Pizzimenti, 298-300 North Street, Boston, for a forbidden use for change of occupancy from tenements and store to two-family dwelling and store with video games in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial. Video game use is inappropriate in this heavily populated neighborhood.



Z-5968

298 • 300 NORTH ST.
(B.P.)

Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-5979

Forsyth Dental Clinic
140 The Fenway, Boston
at Forsyth Way

Four-story structure

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect one-story addition.

Violation(s):

Clinic is conditional use.

Front yard is insufficient.

Proposed one-story roof addition to the research wing will be used for office, storage, and laboratory space; petitioner, however, intends to construct only one third of the addition at this time. No new employees, students, or patients are anticipated. All existing open space will be maintained. Yard violation is technical. Recommend approval with proviso.

VOTED: In reference to petition Z-5979, Forsyth Dental Clinic, 140 The Fenway, Boston, for a conditional use and variance to erect a one-story addition in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans, including the Hemenway Street elevation, are submitted to the Authority for design review.



140 THE FENWAY

(B.P.)

Z-5979

Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-5981
Herbert M. Jacobs
14 Cazenove Street, Boston
near Columbus Avenue

Two-story structure

District(s):	apartment <u>H-3*</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: erect one-story addition to one-family dwelling.

Violation(s):

Addition to height of building (alteration of roof profile) in restricted roof structure district requires conditional use Board of Appeal approval.

One-story room addition on roof will be set back approximately eleven feet from front of dwelling. Recommend approval with proviso.

VOTED: In reference to petition Z-5981, Herbert M. Jacobs, 14 Cazenove Street, Boston, for a conditional use to erect a one-story addition to a one-family dwelling in a restricted roof structure apartment (H-3*) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-5981
14 CAZENOVE ST
(B.P.)

Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-5982

Workshop for Television and Modeling, Inc.
392 Boylston Street, Boston
near Berkeley Street

Five-story structure

District(s):	apartment_____	general business B-8_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from retail sale of ice cream and candy, restaurant, photography studio, architect's office, and modeling agency to preceding uses and school for television commercials.

Violation(s):

School for television commercials is conditional use.

Workshop for young people interested in television and modeling careers, providing training for appearance before cameras, has operated for four years and is licensed by Massachusetts Department of Education. Recommend approval.

VOTED: In reference to petition Z-5982, The Workshop for Television and Modeling, Inc., 392 Boylston Street, Boston, for a conditional use for change of occupancy from retail sale of ice cream and candy, restaurant, photography studio, architect's office, and modeling agency to preceding uses and school for television commercials in a general business (B-8) district, the Boston Redevelopment Authority recommends approval. Workshop for television and modeling careers, providing training for appearance before cameras, has existed for four years and is licensed by the Massachusetts Department of Education.



PUBLIC

POND

GARDEN

STREET

HADASSAH WAY

STREET

AVENUE

Z-3982

392 BOYLSTON ST.

(B.P.)

STREET

AVENUE

PARKING AREA

STREET

ARLINGTON STREET CHURCH

EMMAUS CHURCH

CHURCH OF THE COVENANT

FIRST LUTHERAN CHURCH

FIRST LUTHERAN CHURCH

COMMERCIAL

COMMERCIAL

STREET

STREET

BOYLSTON

CITY OF BOSTON
PARKING LOT AND
PARKING UNIT

INSURANCE CO

STREET

Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-5995

Pierre de Bourgknecht
8A-8 Newbury Street, Boston
near Arlington Street

Eight-story structure

District(s): apartment _____ general business B-3-65 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect new mezzanine level in office structure.

Violation(s):

Floor area ratio is excessive.

Proposal will provide 700 square feet of office space in rear of structure, minimally increasing floor area ratio 3.3 to 3.5. Increase will have no significant impact on the neighborhood. Recommend approval.

VOTED: In reference to petition Z-5995, Pierre deBourgknecht, 8A-8 Newbury Street, Boston, for a variance to erect a mezzanine in an office structure in a general business (B-3-65) district, the Boston Redevelopment Authority recommends approval. Proposal will provide 700 square feet of office space in rear of structure minimally increasing floor area ratio 3.3 to 3.5. Interior change will have no significant impact on the neighborhood.



Z-5995

8-8A NEWBURY ST.

(B.P.)

ARLINGTON

STREET

FIRST LUTHERAN CHURCH

BERKELEY

UNITARIAN FIRST CHURCH IN BOSTON

CLARENDON

SEACON

MARLBOROUGH

COMMONWEALTH

WALK

COMMONWEALTH

FIRST BAPTIST CHURCH

NEWBURY

PROVIDENCE

CITY OF BOSTON PARKING FACILITY UNIT NO. 4

STREET

BOYLSTON

COPLEY

PARKING AREA

STREET

EMMANUEL CHURCH

ARLINGTON STREET CHURCH

9

Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-5996

Shell Oil Co. (lessee)
603 Hyde Park Avenue, Roslindale
at Cummins Highway

Gas service station

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: install two new pump islands.

Violation(s):

Extension of conditional use.

Front yard is insufficient.

Proposal will allow conversion from split island self service to full self service station. Recommend approval.

VOTED: In reference to petition Z-5996, Shell Oil Co. (lessee), 603 Hyde Park Avenue, Roslindale, for a conditional use and variance to alter gas service station in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.



Z-5996
603 HYDE PARK AVE.
(ROS.)

Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-5998

Colonel Daniel Marr Boys' Club
35 Deer Street, Dorchester
at Melvinside Terrace

Three-story structure

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: change occupancy from boys' club and classroom use to boys' club, classroom use, preschool day care center.

Violation(s):

Change in conditional use.

Day care center will accommodate 24 children and satisfy an existing neighborhood need for this service. Recommend approval.

VOTED: In reference to petition Z-5998, Colonel Daniel Marr Boys' Club, 35 Deer Street, Dorchester, for a conditional use for change of occupancy from boys' club and classroom use to boys' club, classroom use, and preschool day care center in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Day care center will satisfy an existing need and has neighborhood support.



Z-5998
35 DEER ST.
(DOR)

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Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-5999

Salbros Family Trust

1482-1484 Dorchester Avenue, Dorchester
near Lincoln Street

Three-story structure

District(s): apartment _____ general business B-2 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: legalize occupancy - two apartments and restaurant.

Violation(s):

Off-street parking is insufficient.

No record of legal occupancy. "Something Else" eat-in restaurant has existed approximately two years without complaint. Majority of customers are walk-in shoppers and local workers. Street-level site previously occupied by similar facility (sub shop). Recommend approval.

VOTED: In reference to petition Z-5999, Salbros Family Trust, 1482-1484 Dorchester Avenue, Dorchester, for a variance to legalize occupancy for two apartments and restaurant in a general business (B-2) district, the Boston Redevelopment Authority recommends approval. "Something Else" eat-in restaurant has existed approximately two years without complaint. Majority of customers are walk-in shoppers and local workers. Site was previously occupied by similar facility (sub shop).



Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-6005

Shell Oil Co. (lessee)

145-151 Spring Street, West Roxbury
at Gardner Street

Gas service station

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: increase underground storage of gasoline from 15,000 to 30,000 gallons.

Violation(s):

Increase in pre-existing conditional use.

New fiberglass underground tanks will be installed. No response from abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-6005, Shell Oil Co. (lessee), 145-151 Spring Street, West Robxury, for a conditional use to increase underground storage of gasoline from 15,000 to 30,000 gallons in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.

Z-6005
145-151 SPRING ST.
(W.R.)



Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-6006
Shell Oil Co.
510 VFW Parkway, West Roxbury
near Brucewood Street

Gas service station

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

Purpose: install four underground gasoline storage tanks and increase capacity from 18,000 to 20,000 gallons.

Violation(s):

Increase in nonconforming use.

New fiberglass-coated underground tanks will be installed in compliance with local and state requirements. No response from abutters. Recommend approval.

VOTED: In reference to petition Z-6006, Shell Oil Co., 510 VFW Parkway, West Roxbury, for an increase in nonconforming use to increase underground gasoline storage capacity from 18,000 to 20,000 gallons in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.

Z-6006
510 V.FW PKWY.
(W.R.)



Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-6007
Donna M. O'Neil
25 Albion Place, Charlestown
near Main Street

Three-story structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from one- to three-family dwelling.

Violation(s):

Dwelling converted for more families which does not meet lot area requirements is a forbidden use.

Lot area is insufficient.

Proposed conversion of large twelve-room dwelling will be consistent with residential character of neighborhood. Recommend approval with proviso.

VOTED: In reference to petition Z-6007, Donna M. O'Neil,, 25 Albion Place, Charlestown, for a forbidden use and variance for change of occupancy from one- to three-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



25 ALBION PL.
(CHSN.)
Z-6007

Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-6011

Arthur and Walter Bunker
113-117 Hamilton Street, Dorchester
near Clarkson Street

One-story structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from frozen food locker plant and office to
storage of electrical supplies and office.

Violation(s):

Storage of electrical supplies is a forbidden use.

Building will be used primarily for storage and will be occupied
approximately only two hours daily for office business. Neighbors have
no objection. Recommend approval.

VOTED: In reference to petition Z-6011, Arthur and Walter
Bunker, 113-117 Hamilton Street, Dorchester, for a
forbidden use for change of occupancy from frozen
food locker plant and office to storage of electrical
supplies and office in a residential (R-.8) district,
the Boston Redevelopment Authority recommends approval.
Building will be used primarily for storage and will
be occupied only approximately two hours daily for
office business. Exterior of building will be
improved. Neighbors have no objection.

113-17 HAMILTON ST

COOPER

STREET

PERCIVAL

ST. RICHARD'S
ST. MARY'S

MT.

1501051

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Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-6012

Roman Catholic Archbishop of Boston
39 Stanton Street, Dorchester
near Norfolk Street

Church complex

District(s): apartment _____ general business _____ industrial _____
residential R-.8 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from church to church and day care kindergarten.

Violation(s):

Day care kindergarten is conditional use.

Facility will be located in basement of St. Matthew's Church with accommodations for 45 children. Residents and abutters support this neighborhood service. Recommend approval.

VOTED: In reference to petition Z-6012, Roman Catholic Archbishop of Boston, 39 Stanton Street, Dorchester, for a conditional use for change of occupancy from church to church and day care kindergarten in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Facility will be located in basement of St. Matthew's Church with accommodations for 45 children. Residents and abutters support this neighborhood service.



Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-6013

97 Charles Street Trust
Ruxton Dellescese, Trustee
123 Pinckney Street, Boston
at Charles Street

Four-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-2-65</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from three apartments and store to three apartments, store, and restaurant.

Violation(s):

Restaurant which sells on-premises-prepared food for on- and off-premises consumption is conditional use.

Petitioner has reviewed restaurant plans with Beacon Hill Civic Association and has community support. Beacon Hill Architectural Commission has granted Certificate of Appropriateness. Recommend approval.

VOTED: In reference to petition Z-6013, 97 Charles Street Trust, 123 Pinckney Street, Boston, for a conditional use for change of occupancy from three apartments and store to three apartments, store, and restaurant in a local business (L-2-65) district, the Boston Redevelopment Authority recommends approval. Petitioner has reviewed restaurant plans with Beacon Hill Civic Association and has community support. Beacon Hill Architectural Commission has granted Certificate of Appropriateness.



Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-6022

Antonio Pardo

37 Paul Gore Street, Jamaica Plain
near Centre Street

Three-story structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from three-family dwelling to two-family dwelling
and day care center.

Violation(s):

Day care center is conditional use.

Facility for twenty children on first floor of dwelling is an inappropriate use and would adversely affect adjacent residential properties. Paul Gore Street is one way; existing traffic and parking problems could present a hazard at drop-off and pick-up times. Recommend denial.

VOTED: In reference to petition Z-6022, Antonio Pardo, 37 Paul Gore Street, Jamaica Plain, for a conditional use for change of occupancy from three-family dwelling to two-family dwelling and day care center in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Facility for twenty children on first floor of dwelling is an inappropriate use and would adversely affect adjacent residential properties. Paul Gore Street is one way; existing traffic and parking problems could present a hazard at drop-off and pick-up times.



Z-6022
37 PAUL GORE ST
(J.P.)

Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-6025

Aida M. Larrubia

61 Newburg Street, Roslindale

at Beryl Street

2½-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential <u>R-.5</u>	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: change occupancy from one- to two-family dwelling.

Violation(s):

Dwelling converted for more families which does not meet lot area requirements is a forbidden use.

Lot area is insufficient.

Two-family occupancy, existing at time of purchase in 1975, is consistent with surrounding properties. Recommend approval.

VOTED: In reference to petition Z-6025, Aida M. Larrubia, 61 Newburg Street, Roslindale, for a forbidden use and variance for change of occupancy from one- to two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Two-family occupancy, existing at time of purchase in 1975, is consistent with surrounding properties.



BELGRADE

HARTFORD

WEST ROXBURY BRANCH

TYNEDALE

STREET

SOUTH

GUERNSEY

EDGEMONT

BRADFORD CIRCLE

ORANGE AVENUE

ORANGE ST

MALWORTH

DUANE

WALWORTH

AVE.

TENNIS COURT

STREET

ST.

61 NEWBURG ST.

Z-6025

(R.O.S.)

Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-6027
Rutland Associates, Inc.
Robert Bradley
40 Rutland Square, Boston
near Columbus Avenue

Four-story structure

District(s): apartment H-3* general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: legalize roof penthouse on five-unit apartment structure.

Violation(s):

Height of building is excessive: alteration of roof profile
in restricted roof structure district.

Petitioner cooperated with South End Historical Commission. Penthouse is
not visible from street. Recommend approval with proviso.

VOTED: In reference to petition Z-6027, Rutland Associates,
Inc., 40 Rutland Square, Boston, for a conditional
use to legalize roof penthouse in a restricted roof
structure apartment (H-3*) district, the Boston
Redevelopment Authority recommends approval provided
plans are submitted to the Authority for design
review.



Z-6027
40 RUTLAND SQ.
(B.P.)

Board of Appeal Referrals 1/28/83

Hearing: 2/1/83

Z-6029

Trustees of Oliver Wendell Realty Trust
 265 Franklin Street, Boston
 at Batterymarch, Oliver, and High Streets

26,963 square feet of land

District(s):	apartment_____	general business B-10_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: erect 20-story office structure: offices, restaurants, stores,
 garage.

Violation(s):

Accessory off-street parking is conditional in a restricted parking district.

Floor area ratio is excessive.

Setback of parapet and off-street loading bays are insufficient.

Site is bounded by Franklin, Batterymarch, High, and Oliver Streets. Two-level below-grade garage will accommodate 96 to 130 cars for tenants and their visitors. Plans have been progressively reviewed by design and development staff. Recommend approval with proviso.

VOTED: In reference to petition Z-6029, Trustees of Oliver Wendell Realty Trust, 265 Franklin Street, Boston, for a conditional use and three variances to erect a 20-story office structure in a general business (B-20) district, the Boston Redevelopment Authority recommends approval with proviso that plans are submitted to the Authority for continuing design review.

Z-6029
265 FRANKLIN ST.
(B.P.)



Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-6032

Saul Klayman

581 Cummins Highway, Mattapan
near Hebron Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

Purpose: change occupancy from retail flower shop to retail flower shop
and restaurant.

Violation(s):

Change in nonconforming use.

Proposal would create a small 10' x 10' coffee--retail doughnut shop
consistent with commercial uses on south side of Cummins Highway.
Recommend approval.

VOTED: In reference to petition Z-6032, Saul Klayman,
581 Cummins Highway, Mattapan, for a change in
nonconforming use for change of occupancy from
retail flower shop to retail flower shop and
restaurant in a single-family (S-.5) district,
the Boston Redevelopment Authority recommends
approval. Proposal will create a small 10' x
10' coffee--retail doughnut shop consistent
with commercial uses on south side of Cummins
Highway.



7-6032

581 CUMMINS HIGHWAY
(MATT)

Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-6036

National Center of Afro-American Artists, Inc.
122 Elm Hill Avenue, Roxbury
near Seaver Street

Three-story structure

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: change occupancy from religious purposes and public assembly hall
to performing center for the arts.

Violation(s):

Performing center for the arts is conditional use.

Former Hebrew school will be used for performances and the training of
children in music and the arts. Recommend approval.

VOTED: In reference to petition Z-6036, National Center of
Afro-American Artists, Inc., 122 Elm Hill Avenue,
Roxbury, for a conditional use for change of occu-
pancy from religious purposes and public assembly
hall to performing center for the arts in an apart-
ment (H-1) district, the Boston Redevelopment
Authority recommends approval. Former Hebrew
school will be used for performances and the train-
ing of children in music and the arts.



Z-6036
122 ELM HILL AVE.
(ROX.)

Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-6037

Allen M. Goldstein

1583(r) Blue Hill Avenue, Mattapan
near Fairway Street

District(s): apartment _____ general business B-1 _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

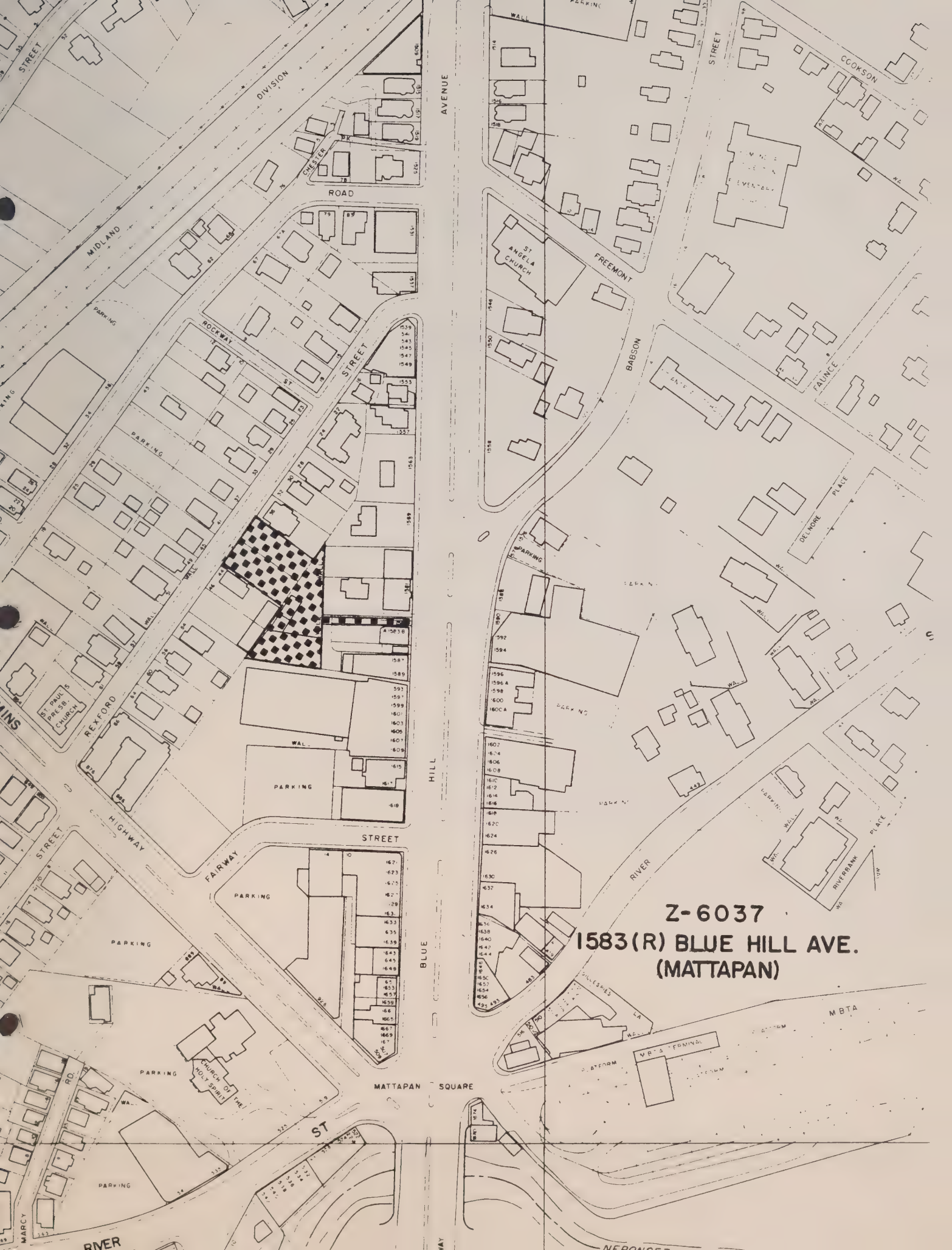
Purpose: change occupancy from office, showroom, warehouse, and
electrical parts and supply to auto body repair shop, car and
truck rental agency, outdoor sale of used motor vehicles.

Violation(s):

Outdoor sale of used cars, auto body repair shop, and car rental
agency are conditional uses.

Site is located in the Mattapan Square general commercial area. Repair
shop will be primarily for car-truck rental use with some outside work.
Approximately three used cars will be offered for sale at one time.
Recommend approval with proviso.

VOTED: In reference to petition Z-6037, Allen M. Goldstein,
1583(r) Blue Hill Avenue, Mattapan, for three
conditional uses for change of occupancy from office,
showroom, warehouse, and electrical parts and supply
to auto body repair shop, car rental agency, and
outdoor sale of used motor vehicles in a general
business (B-1) district, the Boston Redevelopment
Authority recommends approval provided plans, inclusive
of signage, are submitted to the Authority for design
review.



Z-6037
1583(R) BLUE HILL AVE.
(MATTAPAN)

Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-6039
Jeremiah J. Connors
4 Sylvester Road, Dorchester
near Minot Street

2½-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential R-.5 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

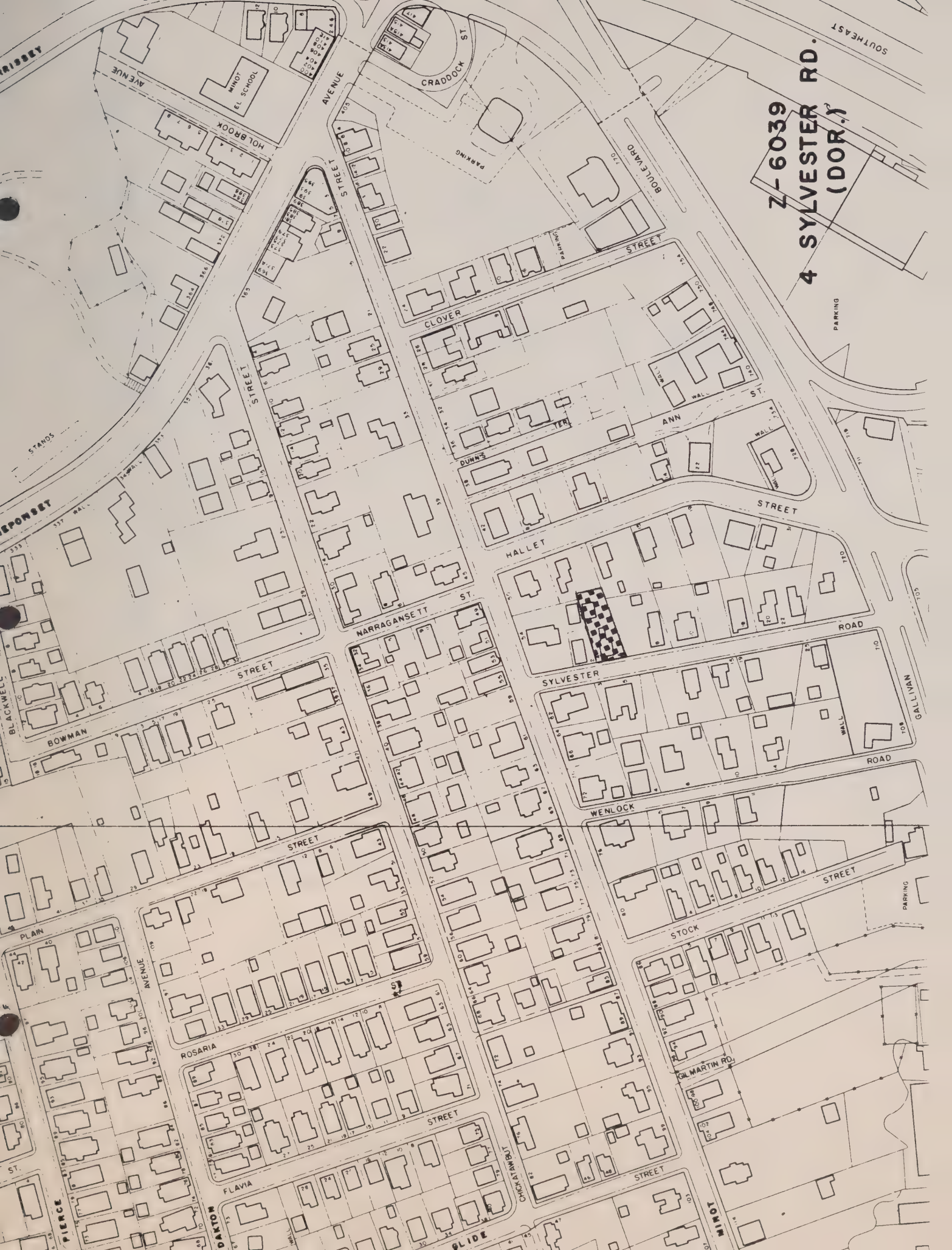
Purpose: erect one-story addition to one-story ell of one-family dwelling.

Violation(s):

Rear yard is insufficient.

Violation existing and technical. No adverse response from abutters.
Recommend approval.

VOTED: In reference to petition Z-6039, Jeremiah J. Connors, 4 Sylvester Road, Dorchester, for a variance to erect a one-story addition to a one-story ell of a one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Violation is existing and technical.



Z-6039
4 SYLVESTER RD.
(DOR.)

Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-6040
170 Newbury Street Realty Trust
170 Newbury Street, Boston
near Exeter Street

Three-story structure

District(s): apartment _____ general business B-3-65 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from janitor's apartment and office to
janitor's apartment, offices, and basement store

Violation(s):

Access below grade within required front yard is not allowed.

A portion of the stairs to basement entrance would be in the required front yard. Basement stores are common on this predominantly commercial block. Recommend approval.

VOTED: In reference to petition Z-6040, 170 Newbury Street Realty Trust, 170 Newbury Street, Boston, for a variance for change of occupancy from janitor's apartment and office to janitor's apartment, offices, and basement store in a general business (B-3-65) district, the Boston Redevelopment Authority recommends approval. Basement stores are common on this predominantly commercial block.

STORROW

JAMES

STORROW

Z-6040
170 NEWBURY ST.
(B.P.)



STREET

STREET

AVE

AVE

ST

ST

ST

COPLEY
SQUARE

TRINITY
CHURCH

BOYLSTON

STREET

TRINITY
CHURCH

ST

CORLEY
METHODIST
CHURCH

OLD SOUTH
CHURCH

PRINCE SCHOOL

NEWBURY

COMMONWEALTH
OF MASSACHUSETTS
DEPARTMENT
OF EDUCATION

COMMONWEALTH

COMMONWEALTH

MAP. BOROUGH

BEACON

BACK

MEMORIAL

WALK

DOCK

RAMP

DARTMOUTH

CLARENDON

EXETER

Board of Appeal Referrals 1/28/83

Hearing: 2/8/83

Z-6041

Suzanne Zinni, Trustee
144 Beacon Street, Boston
near Berkeley Street

Four-story structure

District(s):	apartment <u>H-3-65</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: change occupancy from ten to twelve apartments; erect two-story addition.

Violation(s):

Dwelling converted for more families is conditional use.

Floor area ratio and height of building are excessive.

Open space and rear yard are insufficient.

Proposed two-story addition over roof of existing apartment dwelling would seriously compromise its architectural integrity and that of adjacent structure. Further, the high visibility of the addition would detract from the property and its neighborhood. Recommend denial.

VOTED: In reference to petition Z-6041, Suzanne Zinni, Trustee, 144 Beacon Street, Boston, for a conditional use and four variances for change of occupancy from ten to twelve apartments and to erect a two-story addition in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends denial. Proposed two-story addition over roof of existing apartment dwelling would seriously compromise its architectural integrity and that of adjacent structure. Further, the high visibility of the addition would detract from the property and the neighborhood.



Board of Appeal Referrals 1/28/83

Hearing: 2/15/83

Z-6042-6043

One Post Office Square Associates
Edwin N. Sidman, General Partner
1 Post Office Square and 30 Pearl Street,
Boston

40-story structure

District(s): apartment _____ general business B-10-D industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

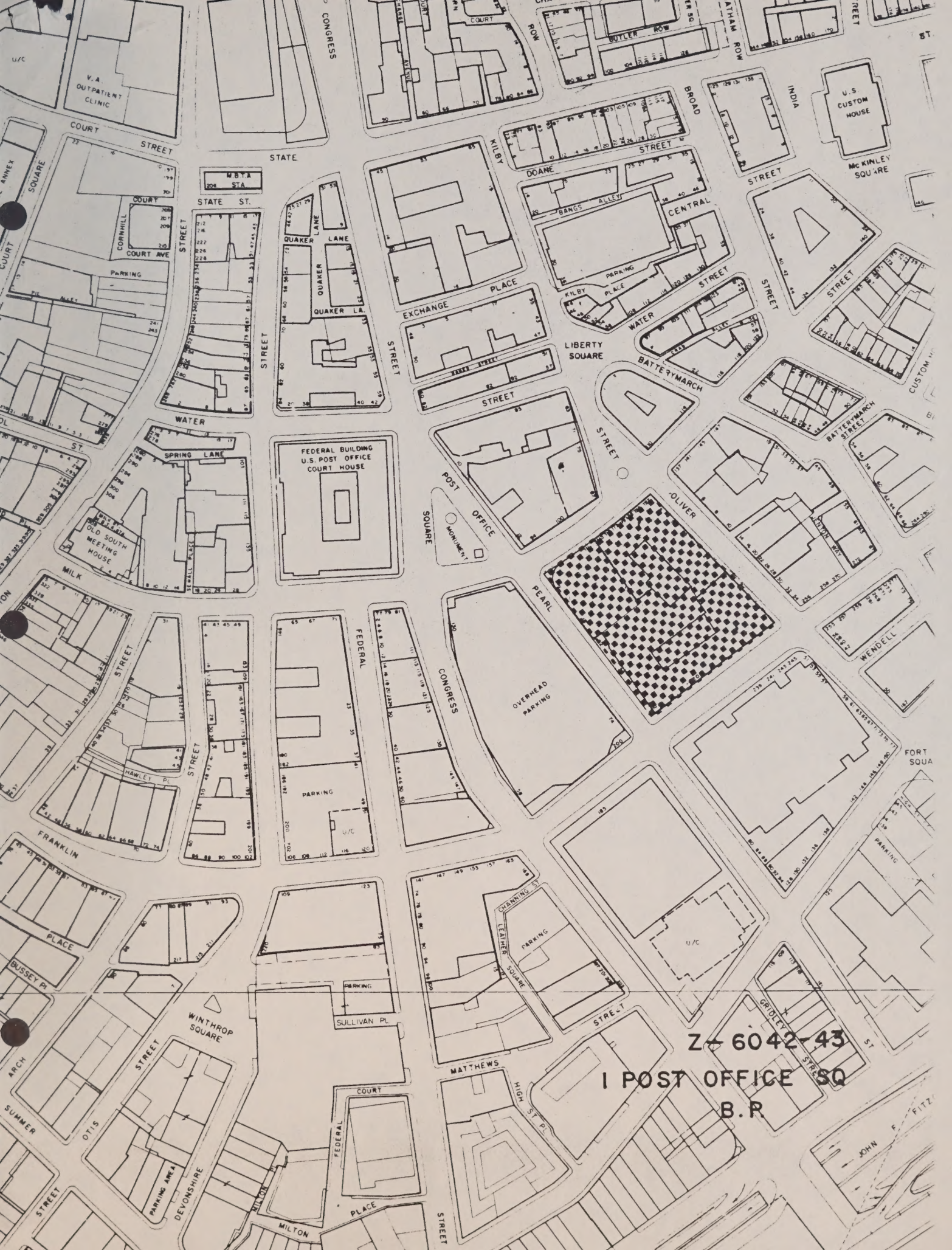
Purpose: change occupancy from offices, garage, stores, bank, restaurant complex, rental agency for storage of vehicles, and hotel to preceding existing uses and retail catering.

Violation(s):

Retail catering and take-out delicatessen are conditional uses.

Delicatessen on Pearl Street will serve lunch-time needs of office personnel; retail catering to business meetings and nearby offices will be offered by Meridien Hotel using food and beverages prepared in its kitchen. Uses are in accordance with those allowed by the Plan for the Planned Development Area. Recommend approval.

VOTED: In reference to petitions Z-6042-6043, One Post Office Square Associates, 1 Post Office Square and 30 Pearl Street, Boston, for two conditional uses to change occupancy from offices, garage, stores, bank, restaurant complex, rental agency for storage of vehicles and hotel to preceding uses and retail catering and take-out delicatessen in a general business (B-10-D) planned development area district, the Boston Redevelopment Authority recommends approval. Delicatessen on Pearl Street will serve lunch-time needs of office personnel; retail catering to business meetings and nearby offices will be offered by Meridien Hotel using food and beverages prepared in its kitchen. Uses are in accordance with those allowed by the Plan for the Planned Development Area.



Z-6042-43

I POST OFFICE SQ

B.R.

